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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

WASATCH LAND & TITLE INS. AGENCY, INC.  
148 North Main Street  
Spanish Fork, UT 84660  
License No. 6882

**STIPULATION  
&  
ORDER**

**Docket No. 2010-099-PC**

**Enf. Case No. 2572**

**STIPULATION**

1. Respondent, Wasatch Land & Title Insurance Agency, Inc. ("Wasatch"), is a licensed title insurance agency in the State of Utah, holding License No. 6882.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
  - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
  - b. Respondent admits the Findings of Fact and Conclusions made therefrom;
  - c. Respondent stipulates to the summary entry of the Order herein which shall be

in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

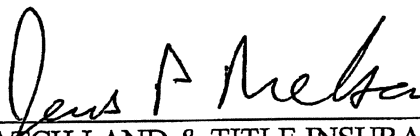
3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.


4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 18 day of August, 2010.

  
\_\_\_\_\_  
WASATCH LAND & TITLE INSURANCE  
AGENCY, INC.  
Jens P. Nielson, President

  
\_\_\_\_\_  
UTAH INSURANCE DEPARTMENT  
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. Respondent Wasatch failed to file its annual report and its controlled business report for the year 2008, which were due on or before April 30, 2009.

2. Respondent Wasatch failed to file its annual report and its controlled business report for the year 2009, which were due on or before April 30, 2010.

3. Respondent Wasatch also failed to timely file its annual and controlled business reports for the years 2001, 2002, and 2004, and was assessed administrative penalties in each of these instances.

4. In mitigation, the presiding officer finds:

a. Respondent Wasatch filed its 2008 and 2009 annual and controlled business reports on July 29, 2010;

b. Respondent Wasatch's annual reports show that it has been operating at a loss for the past two years and currently has a substantial negative net worth and has a significant obligation for debt service;

c. Respondent Wasatch had a change in ownership following its failure to file its annual and controlled business reports in the years 2001, 2002, and 2004, and the current owner was unaware of those previous failures; and

c. because of Wasatch's financial situation the employee that previously filed the annual and controlled business reports for Wasatch is no longer with the company and current personnel was not aware the reports had not been filed.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

**CONCLUSIONS OF LAW**

1. In failing to file its annual and controlled business reports when due, Respondent violated Utah Code Annotated § 31A-23a-413, and Utah Administrative Code Rule R592-11-4 and -5.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Recommended Order:

**RECOMMENDED ORDER**

IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

1. Respondent be assessed an administrative forfeiture in the amount of \$3,000.00, said forfeiture to be paid as follows: \$1,000 to be paid within 30 days of the date of the imposition of the penalty by the Title and Escrow Commission, and \$1,000.00 to be paid each 30 days thereafter until paid in full.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

NEAL T. GOOCH  
INSURANCE COMMISSIONER

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MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

**ADOPTION OF RECOMMENDED ORDER AND IMPOSITION OF PENALTY**

By a vote of \_\_\_\_\_ to \_\_\_\_\_, taken in open meeting on this date, the Title and Escrow Commission hereby adopts the recommended order of the presiding officer and imposes the penalties recommended herein above.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
JERRY HOUGHTON, Chairman  
Title and Escrow Commission

**NOTIFICATION**

Respondent is hereby notified that failure to abide by the terms of this Order may subject it to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of its license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

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## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

ATLAS TITLE INSURANCE AGENCY, INC.  
490 West 100 South  
Heber City, UT 84032  
License No. 90215

**MOTION AND  
ORDER TO SHOW CAUSE**

**REVOCATION OF LICENSE**

**Docket No. 2008-143-PC**

**Enf. Case No. 2155**

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### **MOTION FOR ORDER TO SHOW CAUSE**

Comes now, M. Gale Lemmon, attorney for Complainant, and hereby moves the commissioner for an Order to Show Cause why Respondent's Utah insurance agent's license should not be revoked for failure to obey an Order of the commissioner in the above-entitled matter. In support of its motion, Complainant shows as follows:

1. An order was issued against Respondent pursuant to a Stipulation and Order on September 4, 2008, with an imposition of a penalty by the Title and Escrow Commission on November 10, 2008.
2. The Title and Escrow Commission imposed a forfeiture of \$2,500.00 plus 12 months probation. The terms of the probation were that Respondent shall have not further violations of the Utah Insurance Code or Rules or of any order of the commissioner; shall submit quarterly

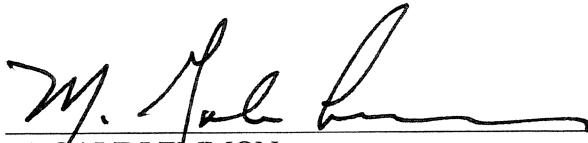
financial statements to the department within 30 days of the end of each calendar quarter, and shall cooperate with any unannounced fiduciary audits conducted by the department.

3. Respondent violated the terms of its probation in failing to submit quarterly financial statements to the department and by violating the Insurance Code and Rules by failing to timely file its Annual and Controlled Business Reports for the year 2008.

4. Pursuant to Utah Code Annotated § 31A-23a-112, if a licensee violates the terms of probation the commissioner may suspend or revoke Respondent's license and pursuant to Utah Code Annotated § 31A-2-308, may assess forfeitures of up to \$5,000.00 per violation of an order of the commissioner.

5. Because Respondent violated the terms of its probation and failed to obey the Order previously made in this matter, the commissioner should now revoke Respondent's license and order Respondent to pay an additional administrative forfeiture in an amount to be designated by the commissioner for violation of that Order.

DATED this 5<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
M. GALE LEMMON  
Assistant Attorney General

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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

LENDERS FIRST CHOICE AGENCY OF  
UTAH, INC.

4884 W. Legacy Springs Dr., Ste. 1002  
Riverton, UT 84096  
License No. 244662

**MOTION AND  
ORDER TO SHOW CAUSE**

## REVOCATION OF LICENSE

**Docket No.** 2009-130-PC

Enf. Case No. 2501

**MOTION FOR ORDER TO SHOW CAUSE**

Comes now, M. Gale Lemmon, attorney for Complainant, and hereby moves the commissioner for an Order to Show Cause why Respondent's Utah insurance agent's license should not be revoked for failure to obey an Order of the commissioner in the above-entitled matter. In support of its motion, Complainant shows as follows:

1. Complainant instituted an informal administrative proceeding against Respondent on October 5, 2009, and on the same day mailed the Notice Of Informal Adjudicative Proceeding and Order to Respondent at the following address:

Lenders First Choice Agency of Utah, Inc.  
Attn: Amanda Grace Cotton  
4884 W. Legacy Springs Dr., Ste. 1002  
Riverton, UT 84096



a copy of which is attached hereto as Exhibit A.


2. Respondent did not request a hearing and the Order became final on October 20, 2009, and is not subject to agency review or appeal.

3. Respondent failed to obey the Order of the commissioner in failing to pay an administrative forfeiture in the amount of \$1,750.00, failed to pay its title assessment fee in the amount of \$1,000.00, and failed to file its annual and controlled business reports for the year 2008.

4. Pursuant to Utah Code Annotated § 31A-2-308, if a licensee fails to obey an order of the commissioner, he may assess forfeitures of up to \$2,500.00 per violation or may suspend or revoke Respondent's license.

5. Because Respondent failed to obey the Order previously made in this matter, the commissioner should now revoke Respondent's license and order Respondent to pay an additional administrative forfeiture in an amount to be designated by the commissioner for violation of that Order.

DATED this 5<sup>th</sup> day of August, 2010.

  
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M. GALE LEMMON  
Assistant Attorney General